

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

SAINT JERMAINE ENDELEY,

Plaintiff,  
-against-

NEW YORK CITY; DEPARTMENT OF  
CORRECTIONS; UNNAMED OFFICERS,

Defendants.

23-CV-7050 (LTS)

ORDER OF DISMISSAL

LAURA TAYLOR SWAIN, Chief United States District Judge:

By order dated October 10, 2023, the Court directed Plaintiff to file an amended complaint within sixty days. On December 4, 2023, the order was returned to the court with a notation on the envelope indicating that Plaintiff is no longer held at the Anna M. Kross Center on Rikers Island. A search of public records maintained by the New York City Department of Correction (“DOC”) and New York State Department of Corrections and Community Supervision (“DOCCS”) indicates that Plaintiff is not in the custody of DOC or DOCCS. Plaintiff has not complied with the Court’s order, has failed to notify the Court of a change of mailing address, and has not initiated any further contact with the Court, written or otherwise. Accordingly, Plaintiff’s complaint, filed *in forma pauperis* (“IFP”) pursuant to 28 U.S.C. § 1915(a)(1), is dismissed without prejudice to Plaintiff’s moving for reconsideration of this order, providing the court with an updated address, and submitting an amended complaint that complies with the order to amend.

The Court certifies under 28 U.S.C. § 1915(a)(3) that any appeal from this order would not be taken in good faith, and therefore IFP status is denied for the purpose of an appeal. *Cf. Coppedge v. United States*, 369 U.S. 438, 444–45 (1962) (holding that an appellant demonstrates good faith when he seeks review of a nonfrivolous issue).

The Clerk of Court is directed to enter judgment in this action.

SO ORDERED.

Dated: December 11, 2023  
New York, New York

/s/ Laura Taylor Swain

LAURA TAYLOR SWAIN  
Chief United States District Judge